

Attorney's Docket No.: Touch and Feel
Serial No. 09/505,646

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 85-90, 93-107, 116-119 and 121-124 stand rejected under 35 U.S.C. 103 as allegedly being unpatentable over Schneck in view of Rhoads. This contention is respectfully traversed.

Scope and Content of the Prior Art

Rhoads describes marketing of a book. The discussion of book operations begins at column 22 line 35. A JPEG of the cover or artwork representing the book can be used. Column 23 describes that when the user selects the book, the user may receive a single JPEG image file of the book's cover, see column 23 line 15. Only one single JPEG for each book: the cover: is available for each book. To the extent Rhoads may have multiple images, they are multiple images, one for each book, for multiple books. Therefore, Rhoads teaches nothing about the claimed feature of "storing a plurality of images representing pages of the book... sending one of said images to a remote node" (emphasis added). Rhoads teaches only a single book page, the cover, being stored for each book. He teaches nothing about sending one of multiple images to a remote node, as claimed.

The rejection, in fact, admits that Rhoads does not teach determining if the request for pages is over a threshold and sending the pages only if a threshold is not exceeded. Naturally, Rhoads does not teach this feature, since Rhoads allows only one

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single page to be sent. There is no sense in counting the pages when only one page total can be sent, as in Rhoads.

From this point of view, it would not be apparent to one having ordinary skill in the art to combine Rhoads with any kind of page counting mechanism; since Rhoads only teaches sending a single page. Therefore, there would be no incentive to combine the references for this reason.

Schneck teaches a bus system for controlling access and distribution of digital files. As explained in Schneck, it is possible to copy a digital file without loss of fidelity. See column 2, lines 46-67. Accordingly, Schneck teaches a system which limits the kind of information within a digital file that can be copied.

The rejection alleges that Schneck teaches determining if the number of pages exceeds a certain threshold and sending the only information only a threshold is not exceeded. However, it is respectfully suggested that this is not the case. Schneck only teaches controlling certain kinds of access to a digital file. He teaches nothing about accessing "pages of a book", as claimed, or sending information only when the number of pages of a book is exceeded. Schneck only teaches information about access to digital files, and teaches NOTHING about book pages.

The Hypothetical Combination Does Not Teach The Claimed Subject Matter.

In any case, even if the references WERE combined, Schneck teaches nothing about monitoring a threshold for requests for pages of a book, as claimed. Schneck teaches a system that controls access to copying of a digital element. The access control mechanism can use cryptographic techniques to control whether a file can be

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copied or not. The rejection refers to column 2 lines 46-67 of Schneck. However, this cited portion just teaches that digital files can be freely copied if no copy protection is attached. Nowhere is there any teaching or suggestion of counting a number of pages of books which have been electronically viewed (as claimed in claim 85), and allowing an additional page to be displayed only if the page count does not exceed a threshold, as required by claim 85. Therefore, claim 85 should be allowable for these reasons. Nothing in the hypothetical combination of Rhoads in view of Schneck in any way teaches or suggests storing images representing multiple pages of a book, and sending the pages only when the number of pages requested has not exceeded a threshold.

Therefore, these claims should be allowable.

Claim 86 adds the further limitation that certain images count towards the threshold and that the counter is incremented only when the requested image counts toward the threshold. This part of the rejection relies on column 7, lines 1-43, of Rhoads. This cited section refers to the data fields that are included in an audio file; and has nothing to do with book reading. The settings in the audio file of Rhoads may determine how long the file can be listened to, or how many times the file can be listened to. This has nothing to do with a number of pages of a book that can be viewed. Moreover, Rhoads teaches nothing about applying this system to a book, which is a very different kind of medium than music. A person listening to music will typically want to listen to the song over and over again; listening once only tantalizes the person to want to buy the song. In contrast, a book reader often only wants to read the book once. The systems are entirely different, and not analogous, in this sense.

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In rejecting claims 96-107, 116-119, and 121-124, the rejection simply states that these are similar to the previous claims. However, this is respectfully traversed.

Claim 96

Claim 96 defines displaying a screen tip indicating what the reaction will be to a specified operation in the context of viewing the book contents. Nothing in the cited prior art in any way teaches or suggests such a screen tip, nor does the rejection even allege that this is possible.

Claim 97

Claim 97 specifies opening the book to see its inside. This is not possible with the hypothetical combination of Rhoads in view of Schneck. As discussed above, this hypothetical combination would use the picture-of-the-cover-only approach of Rhoads. It would not be possible to open the book using this system; as there is no teaching or suggestion of multiple images which could be used in this way. Rhoads in view of Schneck would only have a single picture, of the book cover. It would not be possible to open the book, as claimed, since there would be no images of the book's inside.

Claim 98

Claim 98 specifies that each of the images have a graded resolution; with readable resolution for the readable parts and the different resolution for the non-readable parts. There is no teaching or suggestion of this feature in either Schneck or

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Rhoades, nor does the rejection even allege that there is. Therefore, this claim should be additionally allowable for these reasons.

Claim 99

Claim 99 similarly specifies the readable parts being in text form, and the different parts being in image form; again, this is not taught or suggested by the cited prior art. Therefore, this claim should be additionally allowable for these reasons.

Claim 100

Claim 100 specifies displaying keys which enable moving the position of viewing which again is completely different than anything that is taught by the cited prior art. Therefore, this claim should be additionally allowable for these reasons.

Claim 102 specifies limiting the number of pages which can be read. The advantages and distinctions of this subject matter have been extensively discussed above with respect to claim 85. Therefore, this claim should be additionally allowable for these reasons.

Claim 105 similarly recites determining if more than a specified number of pages have been requested and sending the page only if the specified number of pages does not exceed a threshold. Again, this is in no way taught or suggested by the cited prior art, and should be completely allowable thereover.

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Claim 106 specifies that only certain kinds of pages have limits, again allowable for reasons discussed above.

Claim 107 specifies allowing the user to read beyond the specified number of pages after paying a fee, again allowable over the cited prior art which does not suggest anything about this.

Claim 116 specifies limiting the pages that can be returned over the network, and again should be allowable for reasons discussed above.

Claim 121 similarly specifies limiting a number of pages that can be displayed, and again this claim is allowable for reasons discussed above since neither of the references, nor the combination thereof, teaches or suggests this feature. The dependent claims should be additionally allowable.

Claims 122 and 123 specify respectively providing additional information which again is nowhere taught or suggested by the cited prior art.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed.

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Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.


Therefore, all of the claims should be allowable for these reasons.

Should the Examiner have any issues remaining after considering this amendment, the Examiner is respectfully encouraged to call the undersigned at the below telephone number, in an attempt to most expeditiously resolve these issues.

If there are any other charges, or any credits, please apply them to Deposit Account No. 50-1387.

Respectfully submitted,

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Scott C. Harris
Reg. No. 32,030

Customer No. 23844
Scott C. Harris, Esq.
P.O. Box 927649
San Diego, CA 92192
Telephone: (619) 823-7778
Facsimile: (858) 678-5082